

Remarks

Claims 1-14 and 16-21 are pending in the application, and each was rejected. By this paper, claims 1, 2, 8, 13 and 14 are amended, claim 21 is canceled, and claim 22 is added. Based on the following, consideration of the amended and new claims, and reconsideration of the remaining rejected claims, are requested.

Claim Rejections—35 U.S.C. § 112

The Examiner rejected claims 1-14 and 16-21 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. In particular, the Examiner states that the relation of the recited airbag to an occupant's body portion, as in claims 1 and 13, or to a test dummy, as in claim 21, is unclear. By this paper, claims 1, 2, 8, 13 and 14 are amended, and claim 21 is canceled. With regard to claims 1, 2, 8, 13 and 14, the references to the vehicle occupant's arm are deleted, and Applicants respectfully request withdrawal of the Section 112 rejections.

Claim Rejections—35 U.S.C. § 102

The Examiner rejected claims 1, 3, 6, 7 and 21 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,108,278 (Kai et al.). The Examiner states that Kai et al. discloses a side airbag "comprising a generally wedge shaped side aspect when deployed, narrowing from a posterior region to a forward region" Although Applicants respectfully disagree with the Examiner's interpretation of the Kai et al. reference, claim 1 is amended by this paper to more particularly point out and distinctly claim the subject matter of the invention. Amended claim 1 is distinguishable from Kai et al. For example, claim 1 now recites "an airbag having a side aspect including a generally triangular portion when the airbag is deployed" Kai et al. does not expressly or inherently describe such an airbag.

In addition to the foregoing, claim 1 recites that the side aspect is "at least partially defined by a posterior edge, a top edge extending forward from the posterior edge, and a bottom edge, at least a portion of the bottom edge extending forward and upward toward the top edge, such that the side aspect narrows from a back region to a front region to at least

partially define the generally triangular portion" This language further defines the invention and distinguishes it from the air bag described in Kai et al. The language the Examiner found so broad as to be anticipated by Kai et al. has been deleted, and Applicants maintain that amended claim 1 is in allowable form. As discussed above, claim 21 is canceled, rendering moot its rejection. Claims 3, 6 and 7 each depend directly from claim 1. Each of these dependent claims contains all of the limitations of amended claim 1, as well as additional limitations that further distinguish it from the cited reference. Applicants therefore submit that none of these claims is anticipated by Kai et al, and that each is patentable over the cited reference.

Claim Rejections—35 U.S.C. § 103

The Examiner rejected claims 2, 8, 9, 12-14 and 18-20 under 35 U.S.C. § 103(a) as being unpatentable over Kai et al. in view of U.S. Patent No. 6,991,257 (Zhao et al.) The Examiner relies on the Zhao et al. reference to teach an airbag having a wedge shaped rear aspect. The combination of Kai et al. and Zhao et al. does not teach or suggest all of the claim limitations of, for example, independent claims 8 and 13. Claim 8 recites an airbag apparatus for a vehicle that includes an airbag that has, in addition to a generally wedge shaped rear aspect, "a side aspect including first and second portions, the first portion being generally triangular and narrowing from a back region to a front region, the second portion being contiguous with the first portion and including at least one mounting hole" Claim 13 contains similar limitations. The cited combination of references does not teach or suggest such limitations.

Although the airbag described in Kai et al. includes a "protrusion section 4 [having] a pipe-like shape," (col. 5, l. 31), it does not have a side aspect as recited in claims 8 and 13. With the exception of the protrusion section, the Kai et al. airbag gets taller in a side aspect as it moves from back to front. Thus, the geometric configuration of the Kai et al. airbag is generally the opposite of the airbag recited in claims 8 and 13. This teaches against any modification of the side aspect of the Kai et al. airbag by the rear aspect wedge of Zhao et al. Claim 8 is the base claim for claims 9 and 12, and claim 13 is the base claim for claims

14 and 18-20. Each of these dependent claims contains all of the limitations of its respective base claim, as well as additional limitations that further distinguish it from the cited combination. With regard to claim 2, it depends directly from amended claim 1, which has distinguishing limitations similar to those found in claims 8 and 13. Therefore, with regard to claims 2, 8, 9, 12-14 and 18-20, and the combination of Kai et al. and Zhao et al., Applicants respectfully submit that the MPEP requirements for establishing a *prima facie* case of obviousness have not been met.

The Examiner rejected claims 4 and 5 under 35 U.S.C. § 103(a) as being unpatentable over Kai et al. in view of U.S. Patent No. 6,344,251 (Keshavaraj et al.). The Examiner relies on the Keshavaraj et al. reference to disclose the use of a polymeric material for an airbag having up to 840 denier and having inflation pressures as high as 50 lbs. per square inch (psi). Amended claim 1 is the base claim for claims 4 and 5; combining Keshavaraj et al. with Kai et al. does not render obvious amended claim 1, and therefore, Applicants submit that claims 4 and 5 are also patentable over the cited combination.

The Examiner rejected claims 10, 11, 16 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Kai et al. in view of Zhao et al., and further in view of Keshavaraj et al. As discussed in detail above, it is Applicant's position that the combination of Kai et al. and Zhao et al. does not render obvious either of independent claims 8 or 13. The addition of Keshavaraj et al. to teach the use of heavy material does not provide a combination that teaches or suggests all of the claim limitations of either of these independent claims. Claim 8 is the base claim for claims 10 and 11, and claim 13 is the base claim for claims 16 and 17. Each of these dependent claims contain all of the limitations of its respective base claim, as well as additional limitations that further distinguish it from the cited combination. Therefore, Applicants respectfully submit that each of these dependent claims is allowable over the combination of references.

New Claim

By this paper, claim 22 is added as a dependent claim, depending directly from

amended claim 1. In addition to having all of the limitations of amended claim 1, claim 22 further recites that "the portion of the bottom edge extending forward and upward is connected to the top edge by a radiused corner." This configuration of an airbag further defines and distinguishes over the cited references. It is fully described in the specification of the application as originally filed; therefore, no new matter has been added. Because dependent claim 21 is canceled by this paper, Applicants believe that no fees are due for the addition of claim 22. Based on the foregoing, Applicants request allowance of each of the pending claims.

The Petition fee of \$120.00 is being submitted herewith electronically, please charge any additional fees or credit any over overpayments as a result of the filing of this paper to Ford Global Technologies, LLC Deposit Account No. 06-1510.

Respectfully submitted,

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